

AFJ 1617
PATENT
JRW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB00-388-A)

In the Application of:

Nolan et al.

Serial No.: 09/851,743

Filed: May 9, 2001

For: Methods for Testing Compounds
Useful in Treating Diabetic
Compounds

) Group Art Unit: 1617

) Examiner: S.J. Sharareh

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
 - a. Response to Office Action Mailed July 28, 2004
 - b. Postcard
2. With respect to additional fees:

A. No additional fee is required.

B. Attached is a check in the amount of _____
3. Please charge any additional fees or credit over-payments to the Deposit Account No.13-2490.
4. CERTIFICATE UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313, on this 28th day of September 2004.

Dated: September 28, 2004

By: _____

Kevin E. Noonan
Registration No. 35,303



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) Before the Examiner:
S. J. Sharareh

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RESPONSE TO THE OFFICIAL ACTION
MAILED JULY 28, 2004

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 20231

Dear Sir:

Responsive to the Official Action, mailed July 28, 2004, Applicants respectfully request reconsideration of the pending claims in light of the following amendments and remarks. Remarks begin at page 5 of this response.

Status of the Claims in the application

Claims 1 and 13 as herein amended, and claims 2-4, 6-7, 14-16, 18-19, 25-26, 28-31, and 33-35 are pending in the application. The amendments are supported throughout the specification and claims as originally filed, and thus do not constitute new matter. The grounds of rejection asserted in the Official Action have been overcome by amendment or traversed by argument below.